



CITY OF MORGAN HILL

**CITY COUNCIL
MORGAN HILL REDEVELOPMENT AGENCY**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Hedy L. Chang, Mayor Pro Tempore
Cynthia J. Cook, Council Member
Steve Tate, Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Cynthia J. Cook, Vice-Chairperson
Hedy L. Chang, Agency Member
Steve Tate, Agency Member
Greg Sellers, Agency Member

WEDNESDAY, JANUARY 19, 2000

AGENDA

JOINT SPECIAL MEETING

CITY COUNCIL

and

REDEVELOPMENT AGENCY

6:00 P.M.

*A Special Meeting is called at 6:00 p.m. for the
purpose of conducting three Closed Sessions.*

Dennis Kennedy, Mayor/Chairperson

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

OPPORTUNITY FOR PUBLIC COMMENT

City Council/Redevelopment Agency Action

CLOSED SESSION:

Time

Estimate

1.

25 minutes

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Legal Authority: Initiation of litigation pursuant to Government Code section 54956.9(c)

Number of Potential Cases - (1)

2.

25 minutes

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Legal Authority: Initiation of litigation pursuant to Government Code section 54956.9(c)

Number of Potential Cases - (1)

3.

10 minutes

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Legal Authority:

Real Property(ies) involved:

City Negotiators:

Closed Session Topic:

Government Code 54956.8 & 54956.9(c) (1potential case)

APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Mission View and Cochrane Road; and APN 728-31-009 - 12.88 acres located on the southeast corner of Cochrane and Highway 101 (St. Louise Hospital property)

Agency Members; Interim Executive Director; Interim Agency Counsel; and F. Gale Conner, special counsel

Potential Litigation

CLOSED SESSION ANNOUNCEMENT:

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC SERVICE ANNOUNCEMENT

Eric Hilding

INTRODUCTIONS

Recreation

Sandra Thomsen, Office Assistant II

CERTIFICATES OF APPRECIATION

Emergency Housing Consortium

In Recognition of the City's Support of Affordable Housing

Garry Reese

Service as a Library Commissioner

CITY COUNCIL REPORT

Council Member /Agency Member Tate

INTERIM CITY MANAGER'S REPORT

INTERIM CITY ATTORNEY'S REPORT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE
ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT
IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

City Council Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #1 through #11 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Page

Consent Calendar: 1 - 10 Minutes

- | | |
|----|---|
| 1) | <u>DECEMBER FINANCE AND INVESTMENT REPORT</u> 1
<u>Recommended Action:</u> <u>Accept and file</u> report. |
| 2) | <u>REVIEW OF TENTATIVE MAP APPROVAL FOR SUBDIVISION, SD-99-11:</u>
<u>EAST DUNNE - MORGAN MEADOWS</u> 27
<u>Recommended Action:</u> <u>Take No Action</u> , Thereby Concurring with the Planning
Commission's Decision Regarding Approval of the Subdivision Map. |

3)	<u>REQUEST FROM THE INDOCHINESE RESETTLEMENT AND CULTURAL CENTER, INC. THAT THE CITY OF MORGAN HILL PROCLAIM THE WEEK OF JANUARY 31 TO FEBRUARY 6, 2000 AS VIETNAMESE COMMUNITY WEEK</u>	47
	Recommended Action: <u>Authorize</u> the Mayor to Sign and Forward a Proclamation, Declaring the Week of January 31 to February 6, 2000 as Vietnamese Community Week.	
4)	<u>AMENDMENT TO AGREEMENT WITH THE LAW FIRM OF ENDEMAN, LINCOLN, TUREK & HEATER</u>	53
	Recommended Action: <u>Authorize</u> the Interim City Manager to Execute the Amendment to Agreement with the Law Firm of Endeman, Lincoln, Turek & Heater.	
5)	<u>ASSESSMENT ENGINEERS FOR MADRONE BUSINESS PARK ASSESSMENT DISTRICT</u>	65
	Recommended Action: <u>Authorize</u> the Interim City Manager to Enter into an Agreement with NBS Government Finance Group for Assessment Engineering Services for the Madrone Business Park Assessment District.	
6)	<u>APPROVAL OF IMPROVEMENT AGREEMENT WITH VILLA CIOLINO ASSOCIATES - CIOLINO AVENUE (APN 767-09-022, 23, 24 & 25)</u>	71
	Recommended Action: <u>Approve</u> the Improvement Agreement and <u>Authorize</u> the Interim City Manager to Sign the Agreement on behalf of the City with Villa Ciolino Associates (APN 767-09-022, 23, 24, & 25).	
7)	<u>CERTIFICATION OF BICYCLE ELEMENT PROJECTS FOR VALLEY TRANSPORTATION PLAN 2020</u>	81
	Recommended Action: <u>Adopt</u> Resolution #5343 Certifying the City Project List for the Bicycle Element of the Valley Transportation Plan 2020 (VTP 2020).	
8)	<u>APPROVAL OF SPECIAL MEETING MINUTES OF DECEMBER 15, 1999</u>	129
9)	<u>APPROVAL OF SPECIAL MEETING MINUTES OF DECEMBER 29, 1999</u>	131
10)	<u>APPROVAL OF SPECIAL MEETING MINUTES OF JANUARY 5, 2000</u>	133
11)	<u>APPROVAL OF SPECIAL MEETING MINUTES OF JANUARY 6, 2000</u>	135

PUBLIC HEARINGS:

	Time Estimate		Page
12)	15 minutes	<u>ZONING AMENDMENT APPLICATION ZA-99-11 AND DEVELOPMENT AGREEMENT APPLICATION DA-99-04: EAST DUNNE - MORGAN MEADOWS</u>	137
		Recommended Action: Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion.	

Action - Motion to Approve Mitigated Negative Declaration.
Action - Motion to Waive the Reading in Full of the Residential Planned Development (RPD) Ordinance, No. 1471, N.S.,
Motion to Introduce Ordinance No. 1471, N.S. by Title Only.
Action - Motion to Waive the Reading in Full of the Development Agreement (DA) Ordinance, No. 1472, N.S.,
Motion to Introduce Ordinance No. 1472, N.S. by Title Only.

13)	15 minutes	<u>ZONING AMENDMENT APPLICATION ZA 99-13: CITY OF MORGAN HILL - ZONING ORDINANCE CLEAN UP</u>	175
		<u>Recommended Action:</u> Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Waive</u> the Reading in Full of the Clean Up Ordinance, No. 1473, N.S., <u>Motion to Introduce</u> Ordinance No. 1473, N.S. by Title Only.	

OTHER BUSINESS:

	Time Estimate		Page
14)	20 minutes	<u>POLICE FACILITY MASTER PLAN</u>	197
		<u>Recommended Action:</u> 1. <u>Hear</u> a Presentation of the Police Facility Space Planning Study; and 2. <u>Direct</u> Staff to Utilize This Information to Develop an Updated Police Facility Master Plan for City Council Review and Adoption.	
15)	15 minutes	<u>POLICE RECRUITMENT INCENTIVES</u>	251
		<u>Recommended Action:</u> 1. <u>Authorize</u> Staff to Implement Incentives One through Six in the Report; and 2. <u>Direct</u> Staff to further Develop Incentive Seven in the Report and Return for Council Approval.	
16)	10 minutes	<u>SUPPORT OF PROPOSITION 14 (SB 3) THE STATEWIDE BOND FOR LITERACY AND LIBRARIES ON THE MARCH 7, 2000 STATEWIDE BALLOT</u>	259
		<u>Recommended Action:</u> <u>Adopt</u> Resolution No. 5344 Supporting the Passage of Proposition 14 at the March 7, 2000 Statewide Ballot.	
17)	30 minutes	<u>REVIEW OF CITY COUNCIL COMMITTEES AND APPOINTMENTS TO OUTSIDE AGENCIES</u>	263
		<u>Recommended Action:</u> 1. <u>Review</u> the Current List of Assignments and Appointments and Make Suggested Changes to the Mayor; and 2. <u>Mayor to Appoint</u> Council Members to Serve on the Various Council Committees and Outside Agencies Subject to City Council Approval.	

SECOND READING OF ORDINANCE: Full Reading Waived By Majority Vote.

(Government Code Section 36934)

Action -- Adopt Ordinance by roll call vote.

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| 18) | 5 minutes | <u>ADOPT ORDINANCE NO. 1470, NEW SERIES</u> 279
An Ordinance of The City Council of The City of Morgan Hill Authorizing an Amendment to the Contract between the City Council of the City of Morgan Hill and the Board of Administration of the California Public Employees Retirement System. |
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Redevelopment Agency Action

CONSENT CALENDAR: The Consent Calendar, Agenda Items #19 through #20 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Page

Consent Calendar: 1 - 10 Minutes

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| 19) | | <u>PURCHASE AGREEMENT WITH THE FANELLI REVOCABLE TRUST FOR ACQUISITION OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF FIFTH STREET AND MONTEREY ROAD (APN 726-13-003)</u> 283
<u>Recommended Action:</u>
1. <u>Approve</u> the Purchase Agreement with the Fanelli Trust to Acquire the Property at 17090 Monterey Road (APN 726-13-003) for \$425,000 plus all Escrow and Closing Costs;
2. <u>Authorize</u> the Interim Executive Director to Execute the Purchase Agreement and Make Modifications, as Needed, to the Environmental and Indemnity Provisions within the Purchase Agreement; and
3. <u>Appropriate</u> \$430,000 from the Redevelopment Agency Fund Balance to Fund 317. |
| 20) | | <u>APPROVAL OF SPECIAL MEETING MINUTES OF JANUARY 5, 2000</u> 293 |

OTHER BUSINESS:

Time

Estimate

Page

- | | | |
|-----|------------|--|
| 21) | 30 minutes | <u>LIBRARY FACILITY SITE SELECTION</u> 299
<u>Recommended Action:</u>
1. <u>Receive</u> preliminary Proposed Site Recommendations from the Library Commission;
2. <u>Approve</u> Library Commission Proposed Sites for Further Study;
3. <u>Direct</u> Staff to Proceed with a Request for Proposal for a Site Feasibility Study;
4. <u>Choose</u> One Council Member to be on the Selection Committee for the Site Feasibility Consultant; and
5. <u>Authorize</u> Staff to Return with a Contract for the Site Feasibility Study. |
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22)	20 minutes	<u>SMALL BUSINESS FEE DEFERRAL PROGRAM</u>	319
		<u>Recommended Action:</u>	
		1. <u>Approve</u> the Guidelines for the Small Business Fee Deferral Program;	
		2. <u>Direct</u> Staff to Prepare the Program Materials and Legal Documents to Implement the Program;	
		3. <u>Authorize</u> the Interim Executive Director to Make Modifications to the Program, from time-to-time, as Necessary for Implementation.	

City Council & Redevelopment Agency Action

CONSENT CALENDAR: The Consent Calendar, Agenda Items #23 through #26 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate		Page
	Consent Calendar: 1 - 10 Minutes	
23)	<u>APPROVAL OF JOINT SPECIAL MEETING MINUTES OF DECEMBER 8, 1999</u>	323
24)	<u>APPROVAL OF JOINT SPECIAL MEETING MINUTES OF DECEMBER 13, 1999</u>	333
25)	<u>APPROVAL OF JOINT SPECIAL MEETING MINUTES OF DECEMBER 15, 1999</u>	335
26)	<u>APPROVAL OF JOINT SPECIAL MEETING MINUTES OF JANUARY 12, 2000</u> . . .	363

OTHER BUSINESS:

27)	15 minutes	<u>SELECTION OF CITY COUNCIL MAYOR PRO TEMPORE AND REDEVELOPMENT AGENCY VICE-CHAIR</u>	365
		<u>Recommended Action:</u>	
		<u>City Council:</u>	
		1. <u>Open Floor</u> to Nominations(s) for Mayor Pro Tempore; and	
		2. <u>Select</u> Council Member to Serve as Mayor Pro Tempore per City Council Policy.	
		<u>Redevelopment Agency:</u>	
		1. <u>Open Floor</u> to Nominations for Vice-chair; and	
		2. <u>Select</u> Agency Member to Serve as Vice-chair per Redevelopment Agency Bylaws.	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT